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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,791	11/03/2000	Ralf Martin	016906/0206	7498

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EXAMINER

BROADHEAD, BRIAN J

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 04/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/704,791

Applicant(s)

MARTIN ET AL.

Examiner

Brian J. Broadhead

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference. The amendment must be accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of the same material incorporated by reference in the referencing application. See *In re Hawkins*, 486 F.2d 569, 179 USPQ 157 (CCPA 1973); *In re Hawkins*, 486 F.2d 579, 179 USPQ 163 (CCPA 1973); and *In re Hawkins*, 486 F.2d 577, 179 USPQ 167 (CCPA 1973).

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 15, 19, 2, and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Rado et al., 5508689.

4. As per claims 1, 15, and 19, Rado et al. discloses an actuating drive on line 30, column 4; an electric circuit operatively connected to the actuating drive in figure 4; a control section for inputting control commands to the electrical circuit(114); and at least one electrical cable connecting together the actuating drive, the circuit, and the control

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section, wherein the circuit is arranged remote from the actuating drive and from the control section in figure 7.

5. As per claim 2, Rado et al. discloses the circuit is integrated into the cable in figure 2.

6. As per claim 3, Rado et al. discloses the cable comprises a data bus, and the circuit includes a programmable memory in figure 4.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4-14, 16-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rado et al., 5508689, in view of Binder, 5841360.

9. Rado et al. discloses the limitations as set forth above; two mutually associated connector parts for connecting the circuit to the cable in figure 2 and 3; and the connector contacts are located in plural planes and the number of connector contacts located in a plane is not substantially the number of planes in figure 3. Rado et al. does not disclose the memory includes means for storing a subscriber number and a circuit comprising a component for setting the subscriber number; a means for overwriting the subscriber number with a new subscriber number; the first subscriber number is stored in the memory at the time of production; the first subscriber number is supplied via the

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data bus; the memory comprises an EEPROM; where the subscriber number can be set by means of at least one of the connector parts; and the component comprises a number of switched that are manually operable; and wherein two planes are provided and three connectors are arranged in each plane. Binder teaches of the memory includes means for storing a subscriber number and a circuit comprising a component for setting the subscriber number on lines 37-48, on column 7; a means for overwriting the subscriber number with a new subscriber number on lines 4-7, on column 7; the first subscriber number is stored in the memory at the time of production this is inherent, there must be something stored in the memory at the time of manufacture; the first subscriber number is supplied via the data bus on lines 10-13, on column 7; the component comprises a number of switched that are manually operable on lines 41-42, on column 7; and where the subscriber number can be set by means of at least one of the connector parts on lines 40-45, on column 7. Binder does not teach wherein two planes are provided and three connectors are arranged in each plane; and the memory is an EEPROM. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the address changing of Binder in the invention of Rado et al. because such modification would create a simplified wiring harness as disclosed on lines 17-18, on column 1, of Rado et al. It would have been obvious to one of ordinary skill at the time the invention was made to use an EEPROM have the three connectors in each plane because such modification is a design choice. One of ordinary skill knows the advantages of different memory types and the amount of conductors to use is dependant on the needs of the current system.

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Broadhead whose telephone number is 703-308-9033. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on 703-308-3873. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

BJB  
March 24, 2002

*Jaque L. L. L.*  
Jaque L. L. L.  
Patent Attorney  
March 24, 2002